

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

DERRICK ARMOUR,

Plaintiff,

v.

Case No.: 14-2451

SOUTHEAST COMMERCIAL CLEANING, LLC

Defendant.

JURY DEMANDED

COMPLAINT

Comes now Plaintiff Derrick Armour and sues Defendant Southeast Commercial Cleaning, LLC in tort for personal injuries sustained in a slip-and-fall incident occurring in Memphis, Shelby County, Tennessee, on February 13, 2014. In support, Plaintiff would state as follows:

I. JURISDICTION

1. Jurisdiction of the Court over this matter is based on 28 U.S.C. § 1332 as the parties are citizens of different states and the amount in controversy exceeds \$75,000.

II. THE PARTIES

2. Plaintiff Derrick Armour is an adult male citizen of Tennessee. Plaintiff has resided in Fayette County, Tennessee, at relevant times referred to in this complaint.

3. Defendant Southeast Commercial Cleaning, LLC is a limited liability company and is a citizen of the State of Florida.

III. STATEMENT OF FACTS

4. Defendant Southeast Commercial Cleaning, LLC is contracted by Simon Properties to provide cleaning and maintenance services to Wolfchase Galleria shopping mall in

Memphis, Tennessee.

5. On February 13, 2014, at approximately 8:00-9:00 p.m., Plaintiff Derrick Armour was at the Wolfchase Galleria shopping mall in Memphis, Tennessee.

6. As Plaintiff was walking in the corridor area of the mall, outside of the Abercrombie & Fitch store, he suddenly slipped and fell, hitting the ground with a substantial amount of force.

7. Immediately, after he fell, Plaintiff Derrick Armour noticed a clear, wet substance on the floor in the area where he slipped.

8. In the area where Plaintiff fell, there were no warning signs signaling a wet floor or any other indication that the floor in this particular area was to be avoided by mall visitors.

9. Upon information and belief, Defendant Southeast Commercial Cleaning, LLC created the dangerous and unsafe condition by mopping and/or cleaning the floor where Plaintiff fell and failed to warn Plaintiff and other mall visitors of a known hazard, i.e. the floor being wet due to cleaning.

10. As a direct and proximate result of one or more of the various acts of negligence described above, Plaintiff Derrick Armour has suffered:

- a. Mental and physical pain and suffering, past, present and future;
- b. Permanent physical impairment;
- c. Injuries requiring medical treatment, past, present and future;
- d. Medical expenses, past, present and future;
- e. Loss of enjoyment of life, past, present and future;
- f. Wage loss and benefit loss, past present, and future; and,
- g. Other damages as permitted under the law or in equity, including, but not limited to, out-of-pocket expenses associated with the accident; and post

judgment interest.

IV. PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this action be set for trial before a jury and that a judgment be entered for Plaintiff against the Defendant in an amount not less than \$75,000.

Respectfully submitted,

/s/ William B. Ryan

William B. Ryan #20269

Drew Davis #32059

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